

including processed silicon carbides; bolts; nails; metal aircraft mountings; coated rods and cored wire for soldering; machinery for molding rubber or plastic; other machinery; electrical transformers; speed drive controllers for electric motors; static converters; electrical ignition starting system parts; single line telephone sets; carrier-current line system apparatuses; sound recording apparatuses; pickup cartridges for sound or video recording or reproducing apparatuses; citizens-band transceivers; radar apparatuses; radio navigational aid apparatuses; video monitors; antennas/antenna reflectors/parts; radar apparatus printed-circuit assemblies or subassemblies; other audio/video components; parts of printed circuit assemblies of radar; radio navigational aid or radio remote control apparatuses; assemblies and subassemblies of radar apparatuses; parts of radar apparatuses; electrical apparatuses for switching or protecting circuits; signal generators; other electrical machines and apparatuses; parts of other electrical machines and apparatuses; coaxial cable and other electrical conductors; ignition wiring sets and other wiring sets; other electric conductors fitted with connectors; other electric conductors; other electrical parts; aircraft launching gear/deck-arrestors/parts; gauges; measuring or checking equipment; parts of measuring or checking equipment; and process control instruments and apparatus (duty rates on these items range from 0.1% to 5.7%). The company also uses a number of foreign-sourced items that are duty free.

Zone procedures would exempt ESSD from Customs duty payments on foreign components used in export production. FTZ procedures will help ESSD to implement a more cost-effective system for handling Customs requirements (including reduced brokerage fees and Customs merchandise processing fees). On its domestic sales, ESSD also would be able to choose the lower duty rate that applies to the finished products (duty-free to 7.0%) for the foreign components noted above. FTZ status may also make a site eligible for benefits provided under state/local programs. The application indicates that the savings from zone procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and three copies)

shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is February 8, 1999. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to February 22, 1999.

A copy of the application and the accompanying exhibits will be available for public inspection at each of the following locations:

Office of the Executive Secretary,  
Foreign-Trade Zones Board, U.S.  
Department of Commerce, Room  
3716, 14th and Pennsylvania Avenue,  
N.W., Washington, D.C. 20230  
U.S. Department of Commerce Export  
Assistance Center, World Trade  
Center, Suite 2432, 401 East Pratt  
Street, Baltimore, Maryland 21202

Dated: December 1, 1998.

**Dennis Puccinelli,**

*Acting Executive Secretary.*

[FR Doc. 98-32727 Filed 12-8-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1008]

#### Grant of Authority; Establishment of a Foreign-Trade Zone, Lakewood, New Jersey

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for " \* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

*Whereas*, the Township of Lakewood, New Jersey (the Grantee), has made application to the Board (FTZ Docket 81-97, filed 12/8/97), requesting the establishment of a foreign-trade zone at sites in Lakewood, New Jersey, adjacent to the Philadelphia Consolidated Customs port of entry;

*Whereas*, notice inviting public comment has been given in the **Federal Register** (62 FR 65655, 12/15/97); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report and finds that the requirements of the Act and the Board's regulations are satisfied, and that

approval of the application is in the public interest;

*Now, therefore*, the Board hereby grants to the Grantee the privilege of establishing a foreign-trade zone, designated on the records of the Board as Foreign-Trade Zone No. 235, at the sites described in the application, subject to the Act and the Board's regulations, including Section 400.28, and subject to the standard 2,000-acre activation limit.

Signed at Washington, DC, this 25th day of November, 1998.

Foreign-Trade Zones Board.

**William M. Daley,**

*Secretary of Commerce, Chairman and Executive Officer.*

Attest:

**Dennis Puccinelli,**

*Acting Executive Secretary.*

[FR Doc. 98-32726 Filed 12-8-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-823-806]

#### Pure Magnesium From Ukraine: Notice of Court Decision and Suspension of Liquidation

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice.

**SUMMARY:** On October 20, 1998, in *Gerald Metals, Inc. v. United States*, Court No. 95-06-00782, Slip Op. 98-148 (CIT), a lawsuit challenging the final affirmative determination of the U.S. International Trade Commission (the "Commission") that less-than-fair-value ("LTFV") imports of pure magnesium from Ukraine were causing material injury to the domestic industry, the U.S. Court of International Trade ("CIT") affirmed the Commission's remand determination, which found no material injury as well as no threat to material injury, and entered a judgment order dismissing the case. The issue of material retardation of the establishment of a U.S. industry was never raised before the Commission. Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit ("Federal Circuit") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), the U.S. Department of Commerce (the "Department") will continue to order the suspension of liquidation of the subject merchandise until there is a "conclusive" decision in this case. If the case is not appealed, or